



Eric J. Holcomb, Governor
Mary Beth Bonaventura, Director

Indiana Department of Child Services
Room E306 – MS47
302 W. Washington Street
Indianapolis, Indiana 46204-2738

317-234-KIDS
FAX: 317-234-4497

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

Date: July 1, 2017

To: MaGIK Users

From: Mary Beth Bonaventura, Director
Corinne Gilchrist, Deputy Director of Placement Support and Compliance
Jane Bisbee, Deputy Director of Field Operations
Reba James, Deputy Director Permanency and Practice Support
Dianna Mejia, Interim Deputy Director of Legal Operations
Department of Child Services (DCS)

Subject: Streamline of the DCS Background Check process
DCS-17-01

The current Centralized Background Check process, for the purposes of the Department of Child Services (DCS), became effective in 2006. Over the past 10 years, the technology and the world we live and work in has changed. To more efficiently utilize the time and effort of DCS staff and DCS partners in ensuring the safety of the children we serve, the DCS background check process will be streamlined. Changes to requirements, procedures, evaluation standards, and waiver submissions/evaluations are outlined below. All changes are effective as of July 1, 2017.

1. **Elimination of Child Protective Service check for children under 6**

Child Protective Service (CPS) History Checks required for DCS purposes, by DCS Child Welfare Chapter 13 policies, will be completed only on subjects six (6) years of age and older. This eliminates the current requirement to complete CPS History checks on children ages birth through five (5) years. The CPS History check shall be completed within 30 days of the child's 6th birthday.

2. **Replacement of Name-Based Arrest Records with Court Records Search**

Subjects who are 18 years of age and older will comply with the local Law Enforcement Agency (LEA) portion of the criminal background check required by [IC 31-9-2-22.5](#) by completing a court record search, including all aliases, within each



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county court, as well as applicable city courts, in which the subject resided in the past five(5) years.

3. **Each Waiver Request Must Contain Name-Based Arrest Checks or Exception**
When a waiver of criminal and/or CPS history is requested, the current requirement of completing local LEA name-based arrest checks (through each county sheriff or police department that responds to a 911 call from the subject's current and previous residential addresses within the past five (5) years) will now be required in situations where the subject of the check applies for a criminal and/or CPS waiver from the Central Office Background Check Unit (COBCU). The inclusion of the LEA check will now become a standard requirement in the criminal and/or CPS waiver packet.

4. **Certain Isolated, Older Convictions Will Not Result in Disqualification**
Changes by the COBCU to the standards used to evaluate the National and State Fingerprint based criminal history check completed for DCS purposes will result in fewer "disqualified" subjects, when allowed by Federal and Indiana law, by permitting qualification when there are older convictions and no recent arrests and/or convictions. Please see the attached document for specific information.

5. **Less Duplication of Waiver Requests**
Procedures for submission and evaluation of COBCU criminal and CPS waivers are being streamline by the COBCU.
 - Waiver actions of unlicensed relative/kinship placement will be reviewed to evaluate any concerns that may be identified as future barriers to placement actions, such as foster family home licensing and/or adoption.
 - The procedures for submission and evaluation of additional waivers for required background checks for foster home licensing and/or adoption will be abridged if, at the time the placement moves toward that action, no new criminal activity and/or CPS involvement is found.
 - The procedures for submission and evaluation of waivers that are required to be renewed for the purposes of foster family home relicensure; ward adoptions after a year; and continued employment/volunteering with a DCS licensed facility, DCS contractor, or subcontractor will be abridged if no new criminal activity and/or CPS involvement is found.

If you have any questions regarding the information presented in this administrative letter, please address them to the COBCU via e-mail at COBCUinquiry@dcs.in.gov .

Sincerely,



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Mary Beth Bonaventura, Director
Department of Child Services



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